

REMARKS

Applicant respectfully requests reconsideration. Claims 52, 54-56, and 64-69 were previously pending in this application. Claim 52 has been amended. Claims 52, 54-56, and 64-69 remain pending for examination, with claim 52 being an independent claim. No new matter has been added.

Summary of Telephone Interview with Examiner

Applicant's representatives Timothy J. Oyer, Reg. No.: 36,628 and Brandon S. Blackwell, Reg. No.: 66,256 (hereinafter "the Undersigned") thank Examiner Catherine Simone for the courtesy of a telephone interview conducted on June 2, 2010. The Undersigned and Examiner Simone discussed the rejection of claim 52 in view of U.S. Patent No. 5,443,890 ("Ohman"). Examiner Simone indicated she would favorably consider withdrawing the present rejections if claim 52 were amended to recite that the entire surface defining the protrusions is of material essentially identical to that of the surface defining the indentations. While the Undersigned did not necessarily agree with Examiner Simone's interpretation of the claim language and the cited references, the Undersigned indicated that they might be open to amending the claims in accordance with Examiner Simone's suggestion.

The Undersigned and Examiner Simone also discussed the possibility of overcoming the rejection of claim 52 in view of U.S. Patent No. 5,885,470 ("Parce") by submitting a declaration under 37 C.F.R. §1.132. Applicant encloses herewith a signed Declaration under 37 CFR § 1.132 of Dr. David C. Duffy, one of the inventors.

Further remarks responsive to each of the bases of rejection are now presented.

Rejection of claims 52 and 54-56 under 35 U.S.C. §102(b) in view of Ohman

Claims 52 and 54-56 stand rejected under 35 U.S.C. §102(b) as being anticipated by Ohman.

Without acceding to the correctness of the rejection, Applicant has amended claim 52 to recite a polymeric component having a surface defining a plurality of protrusions and a plurality of intervening indentations, wherein the entire surface defining the protrusions is of material essentially identical to that of the surface defining the indentations. Ohman fails to teach or make

obvious an article including these limitations. Rather, the seal between components 1 and 8 in Ohman is accomplished via the incorporation of sealing strips 5 into component 1. The sealing strips 5 are not formed of a material essentially identical to that of the surface defining the indentations in component 1.

Because each limitation is not taught or suggested in Ohman, amended claim 52 is patentable over Ohman. Claims 54-56 depend from amended claim 52 and, thus, are also patentable over Ohman. Accordingly, withdrawal of the claim rejections on this ground is respectfully requested.

Rejection of claims 52, 54, 55, and 64-69 under 35 U.S.C. §102(e) in view of Parce

Claims 52, 54, 55, and 64-69 stand rejected under 35 U.S.C. §102(e) as being anticipated by Parce.

Initially, Applicant does not concede that Parce is properly prior art to the instantly claimed inventions. Applicant reserves the right to establish invention dates for the claimed inventions that are on or before the effective 35 U.S.C. §102(e) date of Parce relied on in the Office Action.

Independent claim 52 recites the limitation of a liquid-impermeable seal comprising siloxane bonds. As indicated in the attached Rule 132 Declaration of Dr. Duffy, Parce does not teach or make obvious, or provide a reasonable expectation of success for producing a liquid-impermeable seal comprising siloxane bonds, as recited in claim 52.

Because each limitation is not taught or suggested in Parce, amended claim 52 is patentable over Parce. Claims 54, 55, and 64-69 depend from amended claim 52 and, thus, are also patentable over Parce. Accordingly, withdrawal of the claim rejections on this ground is respectfully requested.

Dated: 09/01/10

Respectfully submitted,

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